

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF ILLINOIS**

EAST RIVER CAPITAL, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No.: 19-1398 JPG/GCS
)	
VLD ACCESS, INC.,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

In light of Seventh Circuit Court of Appeals admonitions, *see Foster v. Hill*, 497 F.3d 695, 696-97 (7th Cir. 2007), the Court has undertaken a rigorous initial review of pleadings to ensure that jurisdiction has been properly pled. The Court has noted the following defects in the jurisdictional allegations of the complaint (Doc. 1) filed by plaintiffs, East River Capital, Inc., and ERC Access, Inc.:

- **Failure to allege the citizenship of a corporation.** A corporation is a citizen of both the state of its principal place of business and the state of its incorporation. 28 U.S.C. § 1332(c)(1). The relevant pleading must affirmatively allege the specific states of incorporation and principal place of business of a corporate party. Dismissal is appropriate if a plaintiff fails to make such allegations. *Indiana Hi-Rail Corp. v. Decatur Junction Ry. Co.*, 37 F.3d 363, 366 n. 3 (7th Cir. 1994). Complaint alleges the states of incorporation of East River Capital, Inc., ERC Access, Inc., and Route Consultant, Inc. but not the principal place of business.

The Court hereby **ORDERS** plaintiffs, shall have up to and including, January 23, 2020 to amend the faulty pleading to correct the jurisdictional defects. *See* 28 U.S.C. § 1653. Failure to amend the faulty pleading may result in dismissal of this case for lack of subject matter jurisdiction. Amendment of the faulty pleading to reflect an adequate basis for subject matter jurisdiction will satisfy this order. Plaintiffs are directed to consult Local Rule 15.1 regarding amended pleadings and need not seek leave of Court to file such amended pleading.

IT IS SO ORDERED.

DATED: January 9, 2020

**s/J. Phil Gilbert
U.S. DISTRICT JUDGE**